

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JUSTIN DUFOE, on Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

v.

DRAFTKINGS INC., JASON D. ROBINS,
JASON K. PARK, and MATTHEW
KALISH,

Defendants.

No.: 1:23-cv-10524-DJC

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

On May 8, 2023, Richard Graziano (“Graziano”) filed a motion, pursuant to Section 27(a)(3) of the Securities Act of 1933, 15 U.S.C. § 77z-1(a)(3), and Section 21D(a)(3) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of 1995, for the entry of an Order: (1) appointing Graziano as Lead Plaintiff on behalf of a class consisting of all persons other than Defendants who purchased or otherwise acquired DraftKings Inc.’s non-fungible tokens between August 11, 2021 and the present (the “Class”); and (2) approving Lead Plaintiff’s selection of Pomerantz LLP as Lead Counsel and Andrews DeValerio LLP as Liaison Counsel for the Class. Dkt. No. 25.

Graziano hereby withdraws his motion. This notice of withdrawal shall have no impact on Graziano’s membership in the proposed Class or his right to share in any recovery obtained for the benefit of Class members.

Dated: May 19, 2023

Respectfully submitted,

/s/ Daryl Andrews

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Counsel for Richard Graziano

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing on May 19, 2023.

/s/ Daryl Andrews
Daryl Andrews